



Notification of approval decision

Bloomfield Colliery Continuation project, Ashtonfield, NSW (EPBC 2024/09978)

This decision is made under section 130(1) and 133(1) of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). Note that section 134(1A) of the EPBC Act also applies to this approval. That provision provides, in general terms, that if the approval holder authorises another person to undertake any part of the Action, the approval holder must take all reasonable steps to ensure that the other person is informed of any conditions attached to this approval, and that the other person complies with any such conditions.

Approved Action

person to whom the approval is granted (approval holder)	Bloomfield Collieries Pty Ltd ABN: 76 000 106 972
Action	To clear vegetation, undertake open cut mining, construct associated ancillary infrastructure and operate and rehabilitate an extension of a coal mine at Four Mile Creek Road, Ashtonfield, NSW. See EPBC Act referral 2024/09978.

Approval decision

decision	My decision on whether or not to approve the taking of the Action for the purposes of each controlling provision for the Action are as follows.						
	<table><tr><th>Controlling Provision</th><th>Decision</th></tr><tr><td>Listed threatened species and communities (section 18 and section 18A)</td><td>Approved</td></tr><tr><td>Unconventional gas or large coal mining development with impact on water resources (section 24D and section 24E)</td><td>Approved</td></tr></table>	Controlling Provision	Decision	Listed threatened species and communities (section 18 and section 18A)	Approved	Unconventional gas or large coal mining development with impact on water resources (section 24D and section 24E)	Approved
Controlling Provision	Decision						
Listed threatened species and communities (section 18 and section 18A)	Approved						
Unconventional gas or large coal mining development with impact on water resources (section 24D and section 24E)	Approved						
period for which the approval has effect	This approval has effect until 31 December 2050.						
conditions of approval	The approval is subject to conditions under the EPBC Act as set out in Annexure A.						

Person authorised to make decision

name and position	Andy Huxham A/g Branch Head Environment Assessments (NSW, ACT)
signature	
date of decision	6 October 2026

Annexure A

Note: Words and terms appearing in **bold** (excluding headings) have the meaning assigned to them at **Part C – Definitions**.

Part A – Avoidance, mitigation, and compensation conditions

DISTURBANCE LIMITS

- 1) The approval holder must not:
 - a) **Clear** outside of the **Action area**.
 - b) **Construct** outside of the **Action area**.
- 2) The approval holder must not **clear** more than:
 - a) 51.6 hectares (ha) of **Koala habitat**.
 - b) 51.6 ha of **Large-eared Pied Bat habitat**.
 - c) 51.6 ha of **Swift Parrot habitat**.
 - d) 51.6 ha of **Gang-gang Cockatoo habitat**.

WATER MANAGEMENT

- 3) To avoid and mitigate **harm** to **protected matters** as a result of the Action, the approval holder must comply with conditions 18 and 18A of Schedule 3 of the **Consolidated Consent**, to the extent that they relate to **protected matters**.

MANAGEMENT PLANS

- 4) To avoid and mitigate **harm** to **protected matters** as a result of the Action, the approval holder must comply with conditions 19, 20, 21, 22, 23, 24A and 24B of Schedule 3 of the **Consolidated Consent** in relation to the preparation and implementation of a **Water Management Plan** and the **Elwells Creek Diversion Management Plan**, to the extent that they relate to **protected matters**.
- 5) To avoid and mitigate **harm** to **protected matters** as a result of the Action, the approval holder must comply with conditions 30C, 30D, and 30E of Schedule 3 of the **Consolidated Consent** in relation to the preparation and implementation of a **Biodiversity Management Plan**, to the extent that they relate to **protected matters**.

OFFSETS

- 6) To compensate for the residual significant impact of the Action, the approval holder must comply with conditions 30A and 30B of Schedule 3 of the **Consolidated Consent**, to the extent that they relate to the **Koala, Large-eared Pied Bat, Gang-gang Cockatoo** and **Swift Parrot**.

Part B – Administrative conditions

SUBMISSION AND PUBLICATION OF PLANS

- 7) Unless otherwise agreed to in writing by the **Minister**, the approval holder must publish each **plan** on the **website** within 15 **business days** of the date the **plan** is approved by the **NSW Planning Secretary** and notify the **agency** of the publication of the **plan**, with a link to the **website**.
- 8) The approval holder must keep all **plans** published on the **website**, in a format that is easily accessible and downloadable, from the first date which that **plan** must be published and until the expiry date of this approval. This requirement applies to all current and superseded versions of **plans**.
- 9) The approval holder must exclude or redact **sensitive biodiversity data** and **personal identification information** from any version of a **plan** before that **plan** is published on the **website** or otherwise provided to a member of the public.
- 10) If **sensitive biodiversity data** or **personal identification information** is excluded or redacted from a **plan**, the approval holder must submit an unredacted copy of the **plan** to the **agency** and notify the **agency** in writing, before that **plan** is published on the **website** or otherwise provided to a member of the public, what exclusions and redactions have been made in the version published.

MODIFICATIONS TO STATE OR TERRITORY APPROVAL

- 11) The approval holder must notify the **agency** in writing of any proposed change to the **Consolidated Consent** that relates to avoiding, mitigating, managing or offsetting the impacts of the Action on **protected matters** within 5 **business days** of formally proposing such a change and within 5 **business days** of becoming aware of any proposed change.
- 12) Five **business days** prior to any change to the **Consolidated Consent** coming into effect the approval holder must provide the following to the **agency**:
 - a) written notification that the **Consolidated Consent** conditions have been changed,
 - b) an electronic copy of the **Consolidated Consent** conditions marked up with track changes to show the differences between the **Consolidated Consent** and the revised **Consolidated Consent**.

COMMENCEMENT OF THE ACTION

- 13) The approval holder must notify the **agency** electronically of the date of **commencement of the Action**, within 5 **business days** following **commencement of the Action**.
- 14) The approval holder must not **commence the Action** later than 5 years after the date of this approval decision.

COMPLIANCE RECORDS

- 15) The approval holder must maintain accurate and complete **compliance records** and document the procedure for recording and storing **compliance records**.
- 16) If the **agency** makes a request in writing, the approval holder must provide electronic copies of **compliance records** to the **agency** within the timeframe specified in the request.

Note: **Compliance records** may be subject to audit by the **agency** or by an **independent auditor**, in accordance with section 458 of the **EPBC Act**, and be used to verify compliance with the conditions. Summaries of the results of an audit may be published on the **agency's** website or through the general media.

- 17) The approval holder must ensure that any **monitoring data**, survey, map, or other spatial or meta data required under the conditions of this approval is prepared in accordance with the *Guidelines for biological survey and mapped data*, Commonwealth of Australia 2018, or as otherwise specified by the **Minister** in writing.
- 18) The approval holder must ensure that any **monitoring data**, survey, map, or other spatial or meta data required under the conditions of this approval is prepared in accordance with the *Guide to providing maps and boundary data for EPBC Act projects*, Commonwealth of Australia 2021, or as otherwise specified by the **Minister** in writing.
- 19) The approval holder must submit all **monitoring data**, surveys, maps, other spatial and meta data and all species occurrence record data (sightings and evidence of presence) electronically to the **agency** within 15 **business days** of each anniversary of the date of this approval decision except where otherwise specified in a **plan**.

ANNUAL COMPLIANCE REPORTING

- 20) The approval holder must prepare a **compliance report** for each **Annual Compliance Report period (ACR period)**.
- 21) The approval holder must ensure each **compliance report** includes:
 - a) accurate and complete details of compliance and any non-compliance with:
 - i) each condition imposed under the **Consolidated Consent**, if a condition attached to this approval decision requires compliance with that **Consolidated Consent** condition,
 - ii) each condition attached to this approval decision, and
 - iii) all commitments made in each **plan**,
 - b) a schedule of all **plans** in effect in relation to these conditions during the **ACR period**,
 - c) accurate and complete details of how each **plan** was implemented during the **ACR period**, and
 - d) if any **incident** occurred, accurate and complete details of each **incident**.
- 22) The approval holder must ensure each **compliance report** is consistent with the **Annual Compliance Report Guidelines**.

- 23) The approval holder must, by 30 June each year, in a format that is easily accessible and downloadable, publish on the **website**:
- a) each **compliance report**, and
 - b) a **shapefile** showing all **clearing of protected matters**, and their habitat, undertaken within the **ACR period**.
- 24) The approval holder must:
- a) Exclude or redact any **sensitive biodiversity data** or **personal identification information** from each **compliance report** and **shapefile** published on the **website** or otherwise provided to a member of the public.
 - b) If any **sensitive biodiversity data** or **personal identification information** is excluded or redacted from a version of a **compliance report** published or otherwise provided to a member of the public, submit the full **compliance report** to the **agency** within 5 **business days** of the publication of the **compliance report** on the **website** and notify the **agency** in writing what exclusions and redactions have been made in the version published on the **website** or otherwise provided to a member of the public.
 - c) If **sensitive biodiversity data** is excluded or redacted from a version of a **shapefile** published or otherwise provided to a member of the public, submit the full **shapefile** to the **agency** within 5 **business days** of the publication of the **compliance report** on the **website** and notify the **agency** in writing what exclusions and redactions have been made in the version published on the **website** or otherwise provided to a member of the public.
- 25) The approval holder must notify the **agency** electronically, within 5 **business days** of each date of publication that the **compliance report** has been published on the **website**. In this notification, the approval holder must provide the **agency** with the web address for where the **compliance report** and related **shapefile** are published on the **website**.
- 26) The approval holder must keep each **compliance report** and related **shapefile** published on the **website** from the first date which that **compliance report** must be published and until the expiry date of this approval.

REPORTING NON-COMPLIANCE

- 27) The approval holder must notify the **agency** electronically, within 5 **business days** of becoming aware of any **incident**. The approval holder must specify in each notification:
- a) any condition or commitment made in a **plan** which has not been, or may have not been, complied with,
 - b) a short description of the **incident**, and
 - c) the location (if applicable, including co-ordinates), date and time of the **incident**.

- 28) The approval holder must provide to the **agency** in writing, within 15 **business days** of becoming aware of an **incident**, the details of that **incident**. The approval holder must specify:
- a) all investigations the approval holder has already taken in respect of the **incident**,
 - b) all corrective measures the approval holder has already taken in respect of the **incident**,
 - c) the potential impacts of the **incident**,
 - d) the method and timing of any corrective measures that the approval holder proposes to undertake to address the **incident**, and
 - e) any variation of these conditions or revision of a **plan** that will be required to prevent recurrence of the **incident** or to address its consequences.

INDEPENDENT AUDIT

- 29) The approval holder must ensure that an **independent audit** of compliance with the conditions attached to this approval decision is conducted for every **audit period**.
- 30) The approval holder must submit details of the proposed **independent auditor** and their qualifications to the **agency** no later than 15 **business days** following the end of each **audit period**.
- 31) The approval holder must ensure the scope of each **independent audit** is sufficient to determine the compliance status for each condition of approval, and each commitment made in each **plan**.
- 32) The approval holder must ensure the criteria for each **independent audit** and the undertaking of each **independent audit** are consistent with the **Independent Audit and Audit Report Guidelines**.
- 33) The approval holder must submit an **audit report** to the **agency** for written agreement from the **agency** within 3 months following the end of each **audit period**, or as otherwise directed by the **Minister** in writing.
- 34) The approval holder must ensure each **audit report** is consistent with the **Independent Audit and Audit Report Guidelines**.
- 35) The approval holder must publish each **audit report** on the **website**, in a format that is easily accessible and downloadable, within 15 **business days** of the date the **agency** agrees to that **audit report** in writing.
- 36) The approval holder must notify the **agency** within 15 **business days** of the date the **audit report** is published on the **website**. In this notification, the approval holder must provide the **agency** with the web address for where the **audit report** is published on the **website**.
- 37) The approval holder must keep each **audit report** published on the **website** from the first date which that **audit report** must be published and until the expiry date of this approval.

COMPLETION OF THE ACTION

- 38) Within 15 **business days** after the **completion of the Action**, and, in any event, at least 15 **business days** prior to the expiry date of this approval, the approval holder must notify the **agency** electronically of the date of **completion of the Action** and provide **completion data**.
- 39) The approval holder must submit any spatial data that comprises **completion data** as a **shapefile**.

Part C – Definitions

Words and terms appearing in **bold** (excluding headings) have the meaning assigned to them in the list below:

Action area means the location of the Action, represented in the map at Attachment A by the area designated as *Additional project area for mining* and coloured blue and white, within the area designated as *Proposed Project Area*, enclosed by the red line.

Agency means the Australian Government agency responsible for administering Parts 7, 8 and 9 of the **EPBC Act**.

Annual Compliance Report Guidelines means the document titled *Annual Compliance Report Guidelines: Reporting under the Environment Protection and Biodiversity Act 1999*, Commonwealth of Australia, 2023.

Annual Compliance Report period or **ACR period** means 1 April to 31 March each year until the expiry date of this approval, unless otherwise specified in writing by the **Minister**.

Auditor means a person, or firm, who has demonstrated experience in undertaking government-regulated environmental compliance audits, and holds relevant professional qualifications and accreditations.

Audit period means each successive five year period following the **commencement of the Action** until the expiry date of this approval, unless otherwise specified in writing by the **Minister**.

Audit report means a written report of an **independent audit**.

Biodiversity data means ‘biodiversity data’ as described in the *Policy on Accessing and Sharing Biodiversity Data*, Commonwealth of Australia 2024.

Biodiversity Management Plan means the plan required under condition 30C in Schedule 3 of the **Consolidated Consent**, or the latest subsequent version revised in accordance with the **Consolidated Consent** conditions.

Business day means a day that is not a Saturday, a Sunday, or a public holiday in NSW.

Clear means the cutting down, felling, thinning, logging, removing, killing, destroying, poisoning, ringbarking, uprooting, or burning of vegetation.

Commence the Action means the first instance of any on-site **clearing, construction** or other physical activity associated with the **Action**, but does not include minor physical disturbance necessary to:

- Undertake pre-clearance surveys or monitoring programs.
- Install signage or temporary fencing to prevent unapproved use of the **Action area**, so long as the signage or temporary fencing is located where its installation does not **harm** any **protected matter**.
- Protect environmental and property assets from fire, weeds and feral animals, including use of existing surface access tracks.
- Install temporary site facilities for persons undertaking pre-commencement activities, so long as these facilities are located where they do not **harm** any **protected matter**.
- Undertake soil sampling or geotechnical investigations provided these cause only minor physical disturbance, will not **harm** any **protected matter** and are required in advance of commencement of site works.

Commencement of the Action means the date on which the approval holder **commences the Action**.

Completion data means an environmental report and spatial data clearly detailing how the conditions of this approval have been met.

Completion of the Action means the date on which all activities associated with the approved Action, other than those which provide compensation for the impacts of the **Action**, have permanently ceased or been completed.

Compliance records means all documentation or other material in whatever form required to demonstrate compliance with these conditions of approval (including compliance with commitments made in **plans**) in the approval holder's possession, or that are within the approval holder's power to obtain lawfully.

Compliance report means a written report of compliance with, and fulfilment of, these conditions (including compliance with commitments made in **plans**).

Consolidated Consent means the NSW Consolidated Consent for Bloomfield Coal Mine Modification 5 (MP07_0087-Mod-5), that includes the Modification of Development Consent made under section 4.55(2) of the *Environmental Planning and Assessment Act 1979* (NSW), approved on 9 July 2026 as in effect 10 July 2026. On the date of this decision, the Consolidated Consent is published at the following webpage address: [Modification 5 Bloomfield Colliery Continuation Project | Planning Portal - Department of Planning and Environment](#).

Construct / Construction means:

- to erect, alter, maintain, repair or demolish any structure that is, or is to be, fixed to the ground,

- any work which involves breaking of the ground, including excavation, blasting, drilling, tunnelling, pile driving, laying pipes or other prefabricated materials in the ground, or bulk earthworks,
- to widen any existing track or road or lay road base for road construction, or
- any associated work, but
- **construct / construction** does not include the installation of temporary fences or signage.

Elwells Creek Diversion Management Plan means the plan required under condition 24A in Schedule 3 of the **Consolidated Consent**, or the latest subsequent version revised in accordance with the **Consolidated Consent** conditions.

EPBC Act means the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).

Gang-gang Cockatoo means the **EPBC Act** listed threatened species *Callocephalon fimbriatum*.

Gang-gang Cockatoo habitat means vegetation described under the NSW vegetation classification framework as **PCT 3433**.

Harm means to cause any measurable direct or indirect disturbance or deleterious change as a result of any activity associated with the Action.

Incident means any:

- event which has the potential to, or does, **harm** any **protected matter**, other than as approved by this approval decision,
- likely non-compliance with these conditions, including the administrative requirements,
- actual non-compliance with these conditions, including the administrative requirements,
- likely non-compliance with one or more commitment made in a **plan**, or
- actual non-compliance with one or more commitment made in a **plan**.

Independent means a person or firm, who does not have and has not had any individual, family, financial or employment affiliation or any conflicting interest with the taking of the Action, the approval holder or the approval holder's staff, representatives, or associated persons, other than for the purpose of undertaking the role for which an independent person or firm, is required.

Independent audit means an audit, conducted by an **independent auditor**, of compliance with and fulfilment of these conditions and the commitments made in **plans**, objectively evaluated against the audit criteria developed by the **independent auditor**, in accordance with the **Independent Audit and Audit Report Guidelines**.

Independent Audit and Audit Report Guidelines means the *Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines*, Commonwealth of Australia 2019, excluding the requirements to receive the **agency's** written approval of an **independent auditor**, audit scope, audit criteria and methodology (per sections 5.5 and 5.8).

Independent auditor means a person, or firm, who:

- does not have any individual, financial*, employment* or family affiliation or any conflicting interests with the Action, the approval holder or the approval holder's staff, representatives, or associated persons,
- has demonstrated experience in undertaking government-regulated environmental compliance audits, and
- holds relevant professional qualifications and accreditations.

*Other than for the purpose of undertaking the role for which the person, or firm, is required.

Koala means the **EPBC Act** listed threatened species *Phascolarctos cinereus* (combined populations of Qld, NSW and the ACT).

Koala habitat means vegetation described under the NSW vegetation classification framework as **PCT 3433**.

Large-eared Pied Bat means the **EPBC Act** listed threatened species *Chalinolobus dwyeri*.

Large-eared Pied Bat habitat means vegetation described under the NSW vegetation classification framework as **PCT 3433**.

Minister means the Australian Government Minister administering the **EPBC Act**, including any delegate thereof.

Monitoring data means the data required to be recorded under the conditions of this approval, including **sensitive biodiversity data**.

NSW Planning Secretary means the Planning Secretary as defined the **Consolidated Consent**.

PCT 3433 means vegetation as described under the NSW vegetation classification framework as *Hunter Coast Foothills Spotted Gum-Ironbark Grassy Forest*.

Personal identification information means any details pertaining to any individual's identity which a reasonable person would conclude that, if released, published, or otherwise exposed, may be used to identify or contact an individual. Personal identification information includes any individual's name, email address, telephone number or residential address.

Plan(s) means any plan, strategy or other document specific to how this Action will be undertaken that the approval holder is required by these conditions to implement.

Protected matter(s) means a matter protected under a controlling provision in Part 3 of the **EPBC Act** for which this approval has effect.

Sensitive biodiversity data means **biodiversity data** which, if released, published or otherwise exposed, may result in **harm** to the relevant **protected matter** as a result of the intentional or unintentional misuse of that **biodiversity data**.

Shapefile means location and attribute information about the Action provided in an Esri shapefile format containing:

- '.shp', '.shx', '.dbf' files,
- a '.prj' file which specifies the projection or geographic coordinate system used, and
- an '.xml' metadata file that describes the shapefile for discovery and identification purposes.

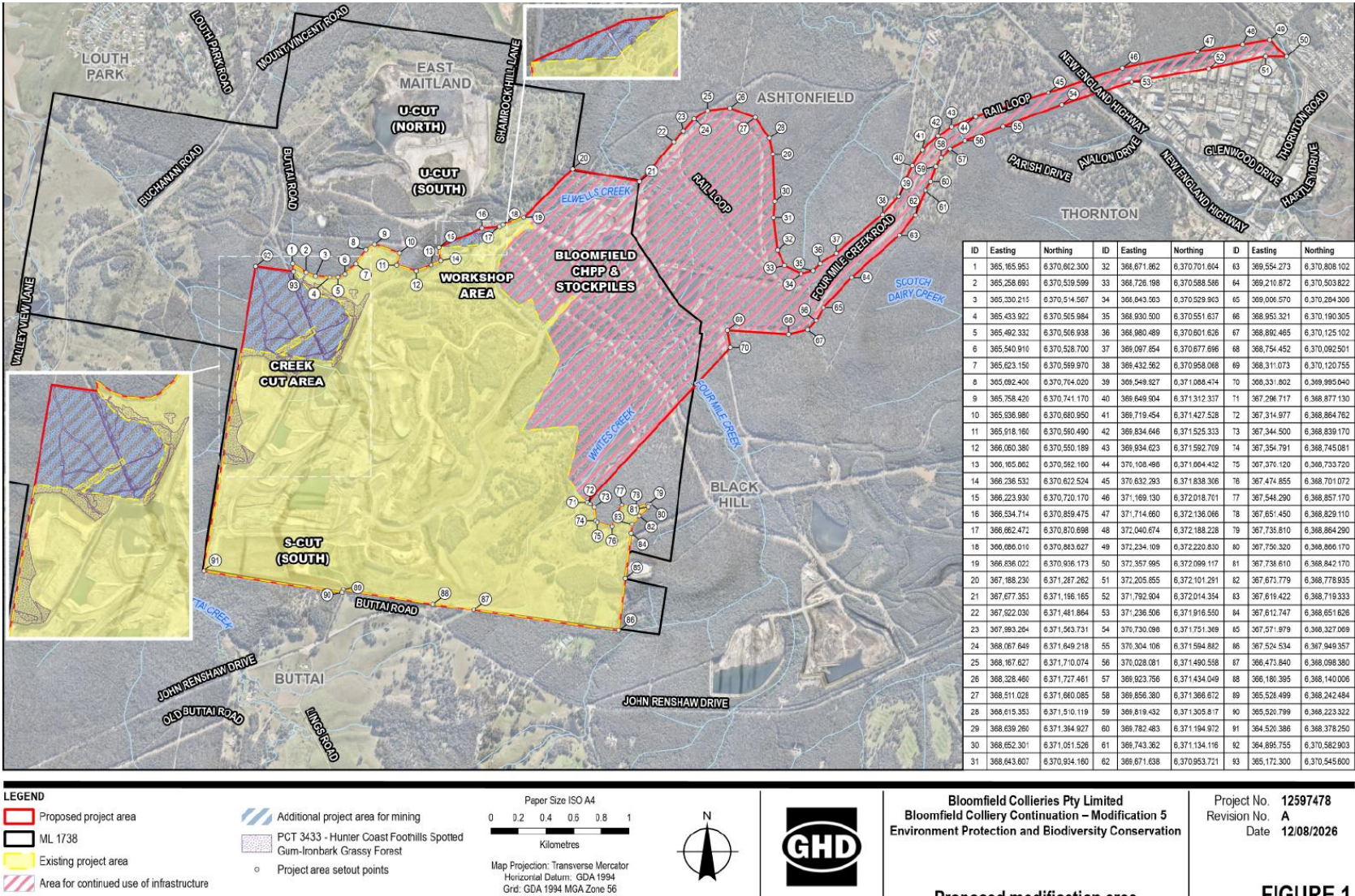
Swift Parrot means the EPBC Act listed threatened species *Lathamus discolor*.

Swift Parrot habitat means vegetation described under the NSW vegetation classification framework as **PCT 3433**.

Water Management Plan means the plan required under condition 19 in Schedule 3 of the **Consolidated Consent**, or the latest subsequent version revised in accordance with the **Consolidated Consent** conditions.

Website means a publicly available set of related web pages located under a single domain name attributed to the approval holder.

Attachment A: Action Area



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